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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,860	10/17/2001	Ruey-Feng Jean	JCLA6417	7968

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J.C. Patents, Inc.
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EXAMINER

GUHARAY, KARABI

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 05/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,860

Applicant(s)

JEAN ET AL.

Examiner

Karabi Guharay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

(1) # 305 of Fig 3, (2) # 804 of Fig 9A.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

(1) Fig 4D does not include # 446, discloses on page 9, line 8, and # 448 disclosed in page 9, line 22.

(2) Electrode 638, 640, electrode seats 620, 622, 624, 626 and glass rims 610, 612, 614, 616, 618, mentioned on lines 17-20 of page 10, are not shown in Fig 6B.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

Electrode # 504 of line 14 of page 10 should be electrode # 604.

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904 is designated as glass rim on page 12, line 13, in accordance with Fig 12, while on line 20 of page 12, applicant designate # 904 as fluorescent layer. Appropriate corrections are required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In this instant case, claim 8 recites "the second rod electrode structure". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10, 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hinotani et al. (US 4920298).

Regarding claims 1, Hinotani et al. disclose a planar fluorescent lamp (Fig 1) comprising of a first panel (6) and a second panel (8) coated with fluorescent layer, a glass rim (glass side wall 20) joined with edges of the first and second panels, wherein the glass rim has plurality of electrode seats (36) and electrode structure, each having

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an electrode (28 & 30) and two electrode lead (32, 34) at two sides of the electrode (28 & 30) wherein each electrode has a neck region (L shape electrode lead 32 or 34 forms neck region, lines 5-65 of column 3).

Regarding claims 2-3, Hinotani discloses that the electrode (28) includes a planar structure, and the electrode leads (32, 34) include flat panels (see Fig 1, or Fig 2).

Regarding claims 4-5, Hinotani et al. disclose a planar fluorescent lamp (Fig 1) comprising of a first panel (6) and a second panel (8) coated with fluorescent layer, a glass rim (glass side wall 20) joined with edges of the first and second panels, wherein the glass rim has plurality of electrode seats (36) and two electrode structures, each having an electrode (28 & 30) and two electrode lead (32, 34) at two sides of the electrode (28, 30), wherein each electrode (28) includes a bent serration structure (38), and the electrode lead (32, 34) has a neck region (L shape electrode lead 32 or 34 forms neck region).

Claim 6 recites essentially the same limitation of claim 3. Thus claim 6 is rejected as claim 3 (see rejection of claim 3).

Regarding claim 7, Hinotani discloses that the glass rim (20) further comprising a gap (24 of Fig 1) for installing a venting tube (26, lines 36-45 of column 3).

Regarding claim 8, Hinotani discloses a planar fluorescent lamp (Fig 1) comprising of a first panel (6) and a second panel (8) coated with fluorescent layer, a glass rim (glass side wall 20) joined with edges of the first and second panels, wherein the glass rim has plurality of recesses (36), a first and second rod structure parallel to each other and closely attached to the glass rim (20) via recesses (36).

Regarding claims 9-10, Hinotani discloses that the first and second rod electrode structure includes an electrode (28, 30) and two leads (32, 34) at two sides of the electrode (see Fig 1).

Regarding claim 15, Hinotani discloses that the recesses (36) have rectangular cross sections (see Fig 1).

Regarding claim 16, Hinotani discloses that the glass rim (20) further comprising a gap (24 of Fig 1) for installing a venting tube (26, lines 36-45 of column 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinotani et al. as applied to claim 1.

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Regarding claims 11-12, Hinotani discloses that the first and second rod structures further include an electrode material (30). However, instead of being circular as in claims 11-12, the further electrode material 30 is rectangular or semicircular or V-shaped (see Figs 8-10). However, It is noted that applicant's specific circular electrode material does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select one of the shapes of circular, semicircular, V-shaped or rectangular.

Regarding claims 13-14, Hinotani fails to disclose U-shaped or V-shaped recesses in the glass rim (20). However, it is noted that specific U-shape or V-shape of the recess does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Therefore it is considered to be a matter of choice, which a person of ordinary skill in the art would have found obvious to select one of the shapes of V-shape, U-shape or rectangular.

Other Prior Art Cited

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure : Kosaka et al. (JP 2000-11949); JP 9-245727; Ozaki (JP8-180838); Yamano et al. (US 4767965); Hasegawa (US 5461279).

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karabi Guharay whose telephone number is (703) 305-1971. The examiner can normally be reached on Monday-Friday 8:30 am - 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (703) 305-4794. The fax phone number for the organization is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

K.G.
Karabi Guharay
Patent Examiner
Art Unit 2879


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